



AF 2/20

Docket: 33637/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Peter Abel	Examiner:	S. Fernandez
Appln. No.:	10/687,529	Group Art	
Filed:	October 16, 2003	Unit:	1651
Title:	Immersion Sensor for Measuring the Concentration of an Analyte with the Help of an Oxidase		

NOTICE OF APPEAL TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this document is being sent via First Class U.S. mail addressed to: **Mail Stop AF**, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on this 7 day of March, 2006.

Thomas E. Bruhn

(Signature)

Sir:

In accordance with 37 C.F.R. § 41.31(a)(1), Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Examiner's Final Rejection dated December 28, 2005, rejecting claims 16-20, 24, 25, 27-30 and 32-37 of the above-identified patent application. The right to request an oral hearing is reserved.

A check in the amount of \$500.00 to cover the Request for Notice of Appeal fee is submitted herewith.

The Commissioner is hereby authorized to charge any deficiencies and/or credit any overpayments to Deposit Account no. 04-1420.

Respectfully submitted,

DORSEY & WHITNEY LLP
Customer Number 25763

Date:

March 7, 2006

By:

David E. Bruhn

David E. Bruhn, (Reg. No. 36,762)
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03/09/2006 RFEKADU1 00000012 10687529

01 FC:1401

500.00 OP

Effective on 12/08/04

FEE TRANSMITTAL SHEET (FY 2005)

Complete if Known

Application No.	10/687,529
Filing Date	October 16, 2003
First Inventor	Peter Abel
Group Art Unit	1651
Examiner Name	S. Fernandez
Atty. Docket Number	33637/Us

☒ Applicant claims small entity status (see 37 C.F.R. 1.27)

METHOD OF PAYMENT (Check One)

☒ Check ☐ Credit Card ☐ Money Order

☒ Deposit Account No.: 04-1420

Deposit Account Name: DORSEY & WHITNEY LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge any additional fees or underpayments of fee(s) under 37 C.F.R. 1.16 and 1.17

☒ Credit any overpayments

☐ Other (please identify):

Extra Claim Fees

Current Claims	Prior	Extra	Fee	Fee Paid
Total	20		x \$	= \$
Ind.	3		x \$	= \$
Multiple Dependent Claims			x \$	= \$
Total (Extra Claims)				\$

Petition Fee Under 37 CFR 1.17(f), (g), & (h)

Enclosed is a Petition filed under 37 CFR as indicated below:

☐ Petition Fee under 37 CFR 1.17(f) Fee \$400

§ 1.53(e) to accord a filing date.
§ 1.57(a) to accord a filing date.
§ 1.182 for decision on a question not provided for.
§ 1.183 to suspend the rules.
§ 1.378(e) for reconsideration of decision on petition refusing delayed payment of maintenance fee in expired patent.
§ 1.174(b) to accord a filing date to an application under § 1.740 for extension of patent term.

☐ Petition Fee under 37 CFR 1.17(g) Fee \$200

§ 1.12 for access to an assignment record.
§ 1.14 for access to an application.
§ 1.47 for filing by other than all inventors or person not the inventor.
§ 1.59 for expungement of information.
§ 1.103(a) to suspend action in an application.
§ 1.136(b) for review of a request for ext. of time when § 1.136(a) not avail.
§ 1.295 for review of refusal to publish a statutory invention registration.
§ 1.296 to withdraw a req. for pub. after notice of intent to publish issued.
§ 1.377 for review of decision refusing to accept a maintenance fee filed prior to expiration of a patent.
§ 1.550(c) for request for ext. of time in *ex parte* reexam. proceedings.
§ 1.956 for request for ext. of time in *ex parte* reexam. proceedings.
§ 5.12 for expedited handling of foreign filing license.
§ 5.15 for changing the scope of a license.
§ 1.5.25 for retroactive license.

☐ Petition Fee under 37 CFR 1.17(h) Fee \$130

§ 1.19(g) to request documents in a form other than provided in this part.
§ 1.84 for accepting color drawings or photographs.
§ 1.91 for entry of a model or exhibit.
§ 1.102(d) to make an application special.
§ 1.138(c) to expressly abandon an application to avoid publication.
§ 1.313 to withdraw an application from issue.
§ 1.314 to defer issuance of a patent.

FEE CALCULATION (Continued)

3. ADDITIONAL FEES

Large Entity Fee	Small Entity Fee	Fee Description	Fee paid
50	25	Surcharge - late provisional filing fee or cover sheet	
130	65	Surcharge - Late nonprovisional filing fee or oath	
180	180	Submission of IDS	
40	40	Recording each patent assignment per property (times number of properties)	
120	60	Extension for reply within first month	
450	225	Extension for reply within second month	
1,020	510	Extension for reply within third month	
1,590	795	Extension for reply within fourth month	
2,160	1,080	Extension for reply within fifth month	
790	395	Submission After Final 1.129	
500	250	Notice of Appeal	\$500.00
500	250	Filing a brief in support of an appeal	
1,000	500	Request for oral hearing	
130	65	Terminal Disclaimer Fee	
1,400	700	Utility & Reissue Issue Fee	
800	400	Design Issue Fee	
790	395	Request for Continued Examination (RCE)	
300		Request for voluntary publication or republication	
500	250	Petition to Revive - unavoidable	
1,500	750	Petition to Revive - unintentional	
200		Filing for patent term adjustment	
400		Request for reinstatement of term reduced	
1,120		Extension of term of patent	

OTHER FEE (specify)

Subtotal (Additional Fees) \$500.00

Total Amount of Payment: \$500.00

Submitted by:

CUSTOMER NUMBER

25763

DORSEY & WHITNEY LLP

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Fax No.: 612-340-8856

Signature:

Reg. No.: 36,762

Date: March 7, 2006